

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,	*	
	*	
Plaintiff,	*	
	*	
v.	*	CASE NO. 2:06-CV-00116-MEF
	*	
FIVE HUNDRED FORTY-THREE	*	
THOUSAND ONE HUNDRED NINETY	*	
DOLLARS (\$543,190.00 in United States	*	
Currency	*	
Defendant.	*	
and	*	
	*	
ENRIQUE ALCARAZ-BARAJAS,	*	
	*	
Claimant.	*	

AMENDED JOINDER
MOTION TO STAY ADJUDICATION

Comes now the Claimant Enrique Alcaraz-Barajas, by and through the undersigned attorney, and amends his previous joinder in the Government's Motion to Stay Adjudication, saying as follows:

1. That Claimant's previous joinder in the Government's Motion to Stay Adjudication was based in part upon a misreading of the Government's motion.

2 The government had raised the issue of Claimant's standing to object to the stop of the vehicle in which Claimant was a passenger. Counsel has now determined that the Motion to Stay Adjudication was based upon the issue of whether Claimant has standing to make his claim. Claimant would suggest, however, that even the issue of standing to claim (the jurisdictional issue) would not exist but for the actions complained of in Claimant's Motion to Suppress, and the necessity of making a claim is the fruit of the poisonous tree of the illegal stop, detention, and seizures complained of.

3 Claimant still believes that a stay is appropriate, but Claimant does not concede

the government's position regarding standing to assert a claim. Claimant believes that a stay is appropriate to permit sufficient time to address that and other issues. As was demonstrated in Claimant's Motion to Dismiss, previously filed, the claimant is no longer permitted in this country. As a result, the logistics of litigation are very complex and slow.

4. Because of these and other circumstances enumerated in Claimant's Motion for Expansion of Time for Response filed on June 5, 2007, Claimant requests a stay of adjudication, including jurisdictional issues, and the setting of a status/scheduling conference no sooner than thirty (30) days hence.

5. This request does not encompass a request to stay discovery, as continued discovery will expedite the ultimate adjudication.

s/Bruce Maddox
Bruce Maddox (MAD013)
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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of June, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to appropriate parties.

s/Bruce Maddox
Of Counsel